

## RESPONSE TO FINAL OFFICE ACTION

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**IN THE CLAIMS:**

1. (Currently Amended) An attachment for driving an object, comprising:
- a lead;
  - a hammer slidably coupled to the lead;
  - a lead mounting assembly pivotably coupled to the lead and having a mounting arrangement configured to allow rotation of the lead in a first plane; and
  - a hydraulic actuator coupled to the lead and the lead mounting assembly, the hydraulic actuator adapted to control the pivotal orientation of the lead relative to the lead mounting assembly in second plane that is different than the first plane,
- wherein the lead mounting assembly further comprises:

- a mounting plate;
- a pivot coupled to and defining an axis of rotation between the mounting plate and lead; and
- a retainer securing an outer portion of the mounting plate to the lead while allowing rotation between the mounting plate and the lead.

2. (Original) The attachment of claim 1 further comprising:
- a winch coupled to the lead mounting assembly.
3. (Original) The attachment of claim 1 further, wherein the lead mounting assembly further comprises:
- a first mounting hole adapted for coupling to construction equipment, the first hole having a center line substantially perpendicular to the lead.
4. (Previously Presented) The attachment of claim 3, wherein the center line of the hole is perpendicular to an axis of rotation of the lead relative to the lead mounting assembly.
5. (Previously Presented) The attachment of claim 1, wherein the mounting arrangement further comprises:

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a mounting bracket having a first hole for coupling to a boom of an excavator and a second mounting hole for coupling to the hydraulic actuator adapted to rotate the mounting bracket relative to the boom on an axis of rotation defined by the first hole.

6. (Original) The attachment of claim 5, wherein the lead mounting assembly further comprises:

a mounting plate coupled to the mounting bracket; and

a shaft coupled between the mounting plate and the lead, the shaft coaxial with an axis of rotation of the lead relative to the mounting plate.

7. (Previously Presented) The attachment of claim 1, wherein the lead further comprises:

a plurality of holes formed therein and adapted to accept a pin for limiting the travel of the hammer.

8. (Previously Presented) The attachment of claim 1 further comprising:

a cage shielding the hammer and adapted to travel with the hammer along the lead.

9. (Previously Presented) The attachment of claim 8, wherein the cage further comprises an integral ladder.

10. (Currently Amended) An attachment for a self-propelled, heavy construction machine having a boom rotationally coupled thereto and a plurality of hydraulic control fluid ports, the attachment comprising:

a lead;

a hammer slidably coupled to the lead; and

a lead mounting assembly coupling the lead to the boom, the lead mounting assembly having a first boom mounting hole defining a first axis of rotation substantially perpendicular to the lead, wherein the lead is rotational

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relative to the lead mounting assembly about a second axis of rotation substantially perpendicular to the first axis of rotation, wherein the lead mounting assembly further comprises:

a second boom mounting hole having a centerline parallel to the first axis of rotation and disposed on an opposite side of the second axis of rotation relative to the first boom mounting hole.

11. (Original) The attachment of claim 10, wherein the attachment further comprises:

a hydraulic actuator coupled to the lead and the lead mounting assembly, the hydraulic actuator adapted to control the orientation of the lead relative to the lead mounting assembly and adapted for coupling to existing hydraulic fluid control ports of the construction machine.

12. (Original) The apparatus of claim 10 further comprising:

a winch coupled to the lead mounting assembly or the boom.

13. (Previously Presented) The attachment of claim 10, wherein the lead mounting assembly further comprises:

a mounting bracket having the first boom mounting hole formed therein;

a mounting plate coupled to the mounting bracket; and

a shaft coupled between the mounting plate and the lead, the shaft coaxial with the second axis of rotation.

14. (Original) The attachment of claim 10, wherein the lead further comprises:

a plurality of holes formed therein and adapted to accept a pin for limiting the travel of the hammer.

15. (Original) The attachment of claim 10 further comprising:

a cage shielding the hammer and adapted to travel with the hammer along the lead.

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16-23. (Cancelled)

24. (Currently Amended) An attachment for a construction machine having a boom operably coupled thereto, the attachment comprising:

a lead;

a hammer slidably coupled to the lead; and

a lead mounting assembly coupling the lead to a boom and configured to allow positioning of the lead in two planes relative to the boom ~~The attachment of claim-23, wherein the lead mounting assembly further comprises:~~

a mounting plate pivotably coupled to the lead and having at least one curved surface captured by a tab extending from the lead.

25. (Cancelled)

26. (Currently Amended) The attachment of ~~claim-25~~ claim 1, wherein the mounting plate further comprises:

a curved edge defined at a predefined radius from the pivot.

27. (Previously Presented) The attachment of claim 26, wherein the retainer is fastened to the lead and extends over the curved edge towards the pivot.

28. (Cancelled)

29. (Previously Presented) The attachment of claim 13 further comprising:

a retainer securing an outer portion of the mounting plate to the lead while allowing rotation between the mounting plate and the lead.

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